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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 VING QUANG PHAM,  
12  
13 vs. Petitioner,  
14  
15 RICHARD SUBIA, Warden,  
16 Respondent.

CASE NO. 07-CV-1736 H  
(WMc)

ORDER ADOPTING REPORT  
AND RECOMMENDATION  
AND DENYING THE  
PETITION FOR HABEAS  
CORPUS PURSUANT TO 28  
U.S.C. § 2254

17 On August 31, 2007, Petitioner, Ving Quang Pham filed a petition for writ of  
18 habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner claims his federal constitutional  
19 rights were violated because: (1) the trial court's joinder of charges from separate  
20 incidents denied him a fundamentally fair trial; and (2) the trial court admitted evidence  
21 based on an illegal search and seizure. (Pet. At 6-9). On November 7, 2009 the Court  
22 issued an order requiring response to petition. On January 3, 2008, Respondent filed an  
23 answer to the petition (Doc. No. 7).

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1 After reviewing the Petition, Respondent's Answer and Memorandum of Points  
2 and Authorities, and all supporting documents submitted by the parties, and the Report  
3 and Recommendation of the Magistrate Judge, the Court adopts the Report and  
4 Recommendation, and denies the petition.

5 IT IS SO ORDERED.

6 Dated: April 1, 2009

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8 MARILYN L. HUFF, District Judge  
9 UNITED STATES DISTRICT COURT  
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